

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
Before the Board of Patent Appeals and Interferences

In re Patent Application of

CURDY et al

Serial No. 10/574,003

Filed: September 29, 2006

Title: DEVICE AND METHOD FOR MAKING PARTICLES



Atty Dkt. DMB-2590-152

C# M#

Confirmation No. 4067

TC/A.U.: 1791

Examiner: Ninh V. Le

Date: July 23, 2010

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

07/26/2010 LNGUYEN1 00000044 141140 16574003

01 FC:1401 540.00 DA
02 FC:1251 130.00 DA

Sir:

Correspondence Address Indication Form Attached.

NOTICE OF APPEAL

Applicant hereby **appeals** to the Board of Patent Appeals and Interferences from the last decision of the Examiner twice/finally rejecting applicant's claim(s). \$540.00 (1401)/\$270.00 (2401) \$ 540.00

An appeal **BRIEF** is attached in the pending appeal of the above-identified application

\$540.00 (1402)/\$270.00 (2402) \$

Credit for fees paid in prior appeal without decision on merits

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A reply brief is attached.

(no fee)

Pre-Appeal Brief Request for Review form attached.

Petition is hereby made to extend the current due date so as to cover the filing date of this paper and attachment(s)

One Month Extension \$130.00 (1251)/\$65.00 (2251)
Two Month Extensions \$490.00 (1252)/\$245.00 (2252)
Three Month Extensions \$1110.00 (1253)/\$555.00 (2253)
Four Month Extensions \$1730.00 (1254)/\$865.00 (2254) \$ 130.00

"Small entity" statement attached.

Less month extension previously paid on

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PLEASE CHARGE OUR DEPOSIT ACCOUNT (SEE BELOW) FOR THE TOTAL FEE \$ 670.00

CREDIT CARD PAYMENT FORM ATTACHED.

Any future submission requiring an extension of time is hereby stated to include a petition for such time extension. The Commissioner is hereby authorized to charge any deficiency, or credit any overpayment, in the fee(s) filed, or asserted to be filed, or which should have been filed herewith (or with any paper hereafter filed in this application by this firm) to our **Account No. 14-1140**.

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NIXON & VANDERHYE P.C.
By Atty: Duane M. Byers, Reg. No. 33,363

Signature: DR Byers